AN ORDINANCE of the City Council of the City of Kent, Washington, amending various sections in Chapter 9.38 of the Kent City Code relating to the monetary penalties applicable to parking violations committed upon City streets and rights-of-way.

RECITALS

A. The City's parking regulations are codified at Chapter 9.38 of the Kent City Code ("KCC"). The penalties provided for in Ch. 9.38 KCC for violations of the City's parking regulations are monetary penalties that range in value from $20 to $250 per violation. Many of the provisions provide for a monetary penalty in the amount of $20 or $25, and these penalty amounts have not been adjusted since 1994.

B. The City's current monetary penalty amounts no longer adequately support the cost of signage, street markings, and enforcement, so the City Council finds that it is appropriate to increase the City's monetary penalties assessed for violations of its parking regulations.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

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Monetary Penalties for Parking Violations on City Streets and Rights-of-Way
ORDINANCE

SECTION 1. – Amendment to KCC 9.38.030, Penalties for Parking in Fire Lanes. Section 9.38.030 of the Kent City Code, entitled “Parking in fire lanes—Penalty,” is amended as follows:

A. Parking prohibited. Except when necessary to temporarily avoid conflict with other moving traffic or in compliance with the direction of a police officer, fire official, traffic control sign, signal, or device, no person shall:
   1. Stop, stand, or park a vehicle, whether occupied or not within any fire lane except:
      a. Momentarily to pick up or discharge a passenger or passengers; or
      b. Temporarily for the purpose of and while actually engaged in loading or unloading property.
   2. Allow continued violations of this section on private property which they own or manage.
B. Penalty. Any violation of the provisions of this section shall be a traffic infraction punishable by a monetary penalty of twenty-five fifty dollars ($2550).

SECTION 2. – Amendment to KCC 9.38.070, Holiday Parking Penalties. Section 9.38.070 of the Kent City Code, entitled “Holiday parking—Penalty,” is amended as follows:

Sec. 9.38.070. Holiday parking – Penalty. From the day after Thanksgiving until January 2 of the following year, all two (2) hour parking

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zones shall be considered three (3) hour parking zones, and it shall be illegal to park any motor or other vehicle for an uninterrupted period in excess of three (3) hours between the hours of 9:00 a.m. and 6:00 p.m. on the roadways designated in KCC 9.38.060 as two (2) hour parking zones. There shall be no enforcement of limited duration parking restrictions, in those zones designated for two (2) hour parking, on Saturdays during the period from the day after Thanksgiving until January 2 of the following year. A violation of this section shall be an infraction and punishable by a monetary penalty of twenty fifty ($2050).

SECTION 3. - Amendment to KCC 9.38.110, Mailbox Parking Penalties. Section 9.38.110 of the Kent City Code, entitled “Parking prohibited within ten (10) feet of mailboxes—Penalty,” is amended as follows:

Sec. 9.38.110. Parking prohibited within ten (10) feet of mailboxes – Penalty.
A. No motor vehicle shall be parked within ten (10) feet of a clearly visible, residential mailbox which is located directly adjacent to curbside or on a public right-of-way between the hours of 8:00 a.m. and 6:00 p.m., except Sundays and holidays.

B. Any violation of this section shall be an infraction and punishable by a monetary penalty of twenty five fifty dollars ($2550). Vehicles in violation are subject to impoundment as provided by law.

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SECTION 4. - Amendment to KCC 9.38.150, Unlicensed Vehicle Parking Penalty. Section 9.38.150 of the Kent City Code, entitled "Parking an unlicensed vehicle—Penalty," is amended as follows:

Sec. 9.38.150. Parking an unlicensed vehicle – Penalty.
A. No person shall stop, stand, or park a vehicle, on a street, highway, alley, or public property unless the vehicle possesses a proper and current vehicle license plate. Such license plate shall be properly mounted on the vehicle in accordance with the State Department of Licenses rules and regulations.
B. Any violation of this section shall be an infraction and punishable by a monetary penalty of twenty-five fifty dollars ($2550). Vehicles in violation are subject to impoundment as provided by law.

SECTION 5. - Amendment to KCC 9.38.160, Municipal Parking Facilities Penalty. Section 9.38.160 of the Kent City Code, entitled "Municipal parking facilities regulated—Penalty," is amended as follows:

Sec. 9.38.160. Municipal parking facilities regulated – Penalty.
A. Parking shall be permitted at municipal parking facilities only in designated parking areas, in the manner provided by law, and as limited in time or otherwise restricted by official signs, including parking permits issued by the city facilities manager pursuant to KCC 9.38.170.
B. Municipal parking facilities for the purposes of this section means any public parking area serving a municipal facility. Such facilities include, but are not limited to, the city commons, city golf facility, city senior center, all parks or recreation facilities owned or operated by the city, city
shops, city hall, the Centennial Parking Garage and adjacent parking areas, the corrections facility, and those public lots between Smith and Harrison Streets and Second Avenue and Fourth Avenue, Gowe and Titus Streets and Second Avenue and Third Avenue, and the southeast corner of Second Avenue and Titus Street.

C. Any violation of this section shall be an infraction and punishable by a monetary penalty of twenty-five fifty ($2550). Vehicles in violation are subject to impoundment as provided by law.

SECTION 6. - Amendment to KCC 9.38.180, General Parking Penalty. Section 9.38.180 of the Kent City Code, entitled “Penalty for violation of certain sections,” is amended as follows:

Sec. 9.38.180. Penalty for violation of certain sections. Any violation of any section of this chapter for which no penalty is specifically provided shall be an infraction and punishable by a monetary penalty of twenty fifty dollars ($2050).

SECTION 7. - Severability. If any one or more sections, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 8. - Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

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SECTION 9. - Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage as provided by law.

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 15th day of June, 2010.
APPROVED: 15th day of June, 2010.
PUBLISHED: 18th day of June, 2010.

I hereby certify that this is a true copy of Ordinance No. 396-3 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, CITY CLERK

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